



The Comptroller General
of the United States

Washington, D.C. 20548

Decision

Matter of: Northwest Prosthetic and Orthotic Clinic

File: B-225994.2

Date: January 21, 1987

DIGEST

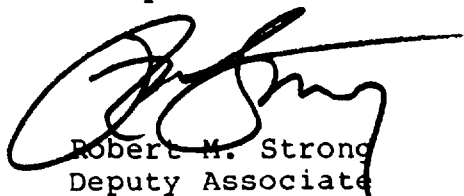
Offer delivered by United States Postal Service express mail the day after it was due properly was rejected, since a late hand-carried offer can be considered only if mishandling by the procuring agency was the paramount cause of the late receipt.

DECISION

Northwest Prosthetic and Orthotic Clinic (Northwest) protests the rejection of its offer as late under Veterans Administration solicitation No. M1-Q15-B7. The firm states that it sent the offer by United States Postal Service express mail with delivery on the required date guaranteed, but that the offer was not delivered to the contracting activity until the day after it was due.

An agency may consider a proposal that is received after the date required in the solicitation only if one of the exceptions against considering late proposals applies. ComPath Business Telephone Systems, B-213575, May 22, 1984, 84-1 C.P.D. ¶ 543. A proposal that is sent by Postal Service express mail is considered to be hand-carried, and if delivered late it can be considered only if mishandling by the procuring agency--not the Postal Service--was the paramount cause of the late receipt. Minority Business Enterprises, Inc., B-211836, May 31, 1983, 83-1 C.P.D. ¶ 583. Since Northwest does not suggest any such mishandling occurred here, the offer properly was rejected.

The protest is dismissed.


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